

REMARKS/ARGUMENTS

Reconsideration of the above-identified application in view of the present amendment is respectfully requested. By the present amendment, claims 1, 2, 7, and 8 are amended, claim 10 is canceled, and claim 11 is added. Claim 3 is allowed.

Claim 1 stands rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,854,762 to Yanagibashi et al. ("Yanagibashi").

Yanagibashi discloses a motorcycle 2 with an air bag unit 27 located forward of the gas tank 24 adjacent the handlebars 17 and an inflator unit 26 located remotely from the air bag beneath the seat 25. The air bag unit 27 include an air bag 52 and a housing 51. The housing 51 is part of the gas tank 24. A hose 44 has an end clamped to a gas connecting pipe 39 of the inflator unit 26 by a clamp 45. The hose 44 extends into a main frame 12 of the motorcycle 2 near the inflator unit 26, follows a bent or winding path through the interior of the main frame, and exits the main frame near the air bag unit 27. The hose 44 is connected to a hose connecting pipe 54 of the air bag unit 27 by a clamp 55. Because the hose 44 extends into the main frame 12 and follows a curved, bent, or winding path, the hose disclosed in Yanagibashi must be a flexible hose, presumably rubber or plastic, that connects the air bag unit 27 to the remotely located inflator unit 26. Because of this, the hose connecting pipes 39 and 54 and their respective clamps 45 and 55 are merely hose fittings for facilitating a gas tight connection with the hose.

Claim 1 is amended to replace the term "source of compressed gas" by "gas generator" and also to add the feature that the gas lance is directly fastened to the

gas generator. Claim 1, as amended, recites several features not found in Yanagibashi.

1. Gas lance accommodated in a housing.

Claim 1 recites that the gas lance is accommodated in a housing. The Office Action identifies the hose connecting pipe 54 in Yanagibashi as being a gas lance accommodated in a housing 51 of the air bag unit 27. This is a mischaracterization of the reference.

First, the majority of the hose connecting pipe 54 is positioned outside the housing 51. As shown in Fig. 5, the majority of the gas connecting pipe 54 is positioned inside the main frame 12 and appears to be connected to the main frame by a weld, as indicated at the intersection of the outer surface of the main frame and the gas connecting pipe. Therefore, the gas connecting pipe 54 is not accommodated in the housing 51, but rather in the main frame 12 of the motorcycle.

Second, the gas lance disclosed by the present invention is described as an elongated tube, which is consistent with the definition one having ordinary skill in the art would attach to the phrase "gas lance." For example, Merriam Webster's Online Dictionary provides the following definitions for the word "lance":

1. a steel-tipped spear carried by mounted knights or light cavalry;

2 : any of various sharp objects suggestive of a lance.

Clearly, the hose connecting pipe 54 does not constitute a gas lance and one having ordinary skill in the art would not consider it to be equivalent to a gas lance.

2. Connection extension fastens gas lance directly to gas generator.

Claim 1 recites that the gas lance has a connection extension that projects out of the housing, penetrates the gas generator and fastens the gas lance directly to the

gas generator. The Office Action identifies the hose 44 and hose connecting pipe 39 in Yanagibashi as disclosing this structure. Again, this is a mischaracterization of the reference.

The connection extension is recited in claim 1 as being part of the gas lance. This construction is shown and described clearly in the drawings and specification. As set forth above, the hose connecting pipe 54 does not constitute a gas lance and the hose 44 and hose connecting pipe 39 most certainly are not portions of the connecting pipe. Therefore, the gas lance identified in the Office Action, i.e., the hose connecting pipe 54, does not include a connection extension connected directly to the gas generator.

3. Connection extension supplies compressed gas to gas lance and mechanically attaches gas generator to air bag module.

Claim 1 recites that the connection extension serves to supply the gas lance with compressed gas as well as mechanically attaching the gas generator to the air bag module. The Office Action identifies the hose 44 and hose connecting pipe 39 in Yanagibashi as disclosing this structure. Yet again, this is a mischaracterization of the reference.

First, as set forth above, the hose 44 and the hose connecting pipes 39 and 54, alone or in combination, do not constitute a gas lance with a connecting portion. Second, the structure identified in the Office Action does not connect the gas generator to the air bag module. In Yanagibashi, the gas connecting pipe 54 is welded to the main frame 12 of the motorcycle 2 and the air bag housing is formed as part of the gas tank 24. The air bag 52 is stored in the folded state in the housing 51 and retainer 53 fixed so as to surround the hose connecting pipes 54. Thus, the

structure identified in the Office Action as being the gas lance (i.e., the connecting pipes 54) are not even connected to the gas bag module.

4. Connection extension penetrates gas generator.

Figs. 3 and 4 of Yanagibashi do not show that the connection extension (i.e., the hose 44 and connecting pipe 39) penetrates into the source of compressed gas. Rather, the inflator 31 is arranged in an inflator case 32 which has a funnel-shaped exit opening 38 onto which a hose connecting pipe 39 is clamped and fixed. Gas supply hose 44 is fitted on the hose connecting pipe 39 and fixed by fixing band 45. Thus, even if the gas supply hose 44 would be seen as a connection extension within the meaning of the invention, there is no teaching that shows that the gas supply hose projects out of the housing 51 and penetrates into the gas generator unit 26, let alone gas generator 51.

Therefore, in view of these reasons, claim 1 is allowable. Claim 2 is amended to depend from claim 1. Claims, 2, 7, and 8, which depend from claim 1, are also amended to replace the term "source of compressed gas" by "gas generator" to be consistent with claim 1. Claims 2 and 4-9 depend from claim 1 and are therefore allowable as depending from an allowable claim and for the specific features recited therein.

New claim 11, which depends from claim 1, should be allowed for the same reasons as claim 1 and also for the additional feature that the gas lance includes an elongated tube extending inside the housing, and wherein the connection extension extends laterally from the elongated tube. Neither Yanagibashi nor any of the other cited references discloses or suggests this feature. Therefore, claim 11 is allowable.

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In view of the foregoing, it is respectfully requested that the amendment be entered and the application allowed.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,



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